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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,582	06/27/2003	Mikio Yamamuro	008312-0304517	5806

909 7590 03/15/2006

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EXAMINER

PHAM, VAN T

ART UNIT

PAPER NUMBER

2656

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/607,582	YAMAMURO, MIKIO	
	Examiner	Art Unit	
	VAN T. PHAM	2656	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: SP, 2002-074663, A [DRAWINGS] sheet

Response to Arguments

1. Applicant's arguments filed 2/28/2006 have been fully considered but they are not persuasive.

Claims 1-12 have been cancelled and newly added claim 13 for consideration.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "Takazi does not disclose or suggest that the differential amplifier 44 includes a first input terminal connect to a second end of a second transmission path, the second end of the second transmission path being connected to the drive main portion through the cable" (see Remarks)) are uncorrected. The features are shown in Toshiba Fig. 2, the second end of the second transmission path (the path of Ea -Ec, in Fig. 2).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 13 is rejected under 35 U.S.C. 102(b) as being anticipated by Toshiba (JP 2002-074663).

Regarding claim 13, Toshiba discloses a detecting device, comprising: a drive main portion including a first power supply and a second power supply (see Fig. 2, element 18); an optical pickup (see Fig. 2, element 5); a cable for connecting the drive main portion and the optical pickup (see Fig. 2, element 41); first transmission path whose first end is connected to the

first power supply of the drive main portion, and whose second end is connected to the optical pickup through the cable (see Fig. 2, (a)); an amplifier, which is incorporated in the optical pickup device, which is connected to a second end of the first transmission path, and which includes a first input portion which is connected to the second end of the first transmission path (see Fig. 2, elements 25 and (b)); a photo-detector, which is incorporated in the optical pickup and whose first end is connected to a second input portion of the amplifier (see Fig. 2, elements 24 and (c)); a second transmission path whose first end is connected to the second end of the first transmission path, and whose second end is connected to the drive main portion through the cable (see Fig. 2 and (d)); a third transmission path whose first end is connected to an output terminal of the amplifier, and whose second end is connected to the drive main portion through the cable (see Fig. 2, (e)); a differential amplifier (see Fig. 2, element 44), which is provided in the drive main portion, which includes a first input terminal connected to the second end of the second transmission path, which includes a second input terminal connected to the second end of the third transmission, which operates by being connected to the second power supply, and which amplifies an output signal of the amplifier, and outputs the output signal of the amplifier (see Fig. 2, (f) and the output signal $A^* VRF$); and a signal processing portion which is incorporated in the drive main portion, which operates by being connected to the second power supply, the second power supply being connected to the first power supply and which performs signal processing with respect to an output from the differential amplifier (see Fig. 2, power supply V_{cc} , element 46 and see 9 (g)).

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Cited References

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to

- a. A tracking servo control device and, to a tracking servo control device in use for an information recording/reproduction apparatus (Yokota US 4,408,314).
- b. An amplitude difference between a reproduction signal from a preformat portion of an optical disk and reproduction signal from a recording portion of user's data is obtained (Isaka et al. US 5,124,967).

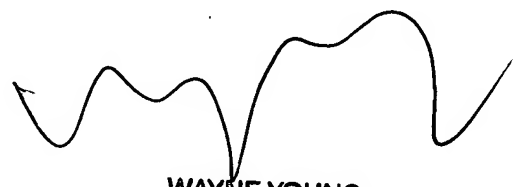
Art Unit: 2656

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN T. PHAM whose telephone number is 571-272-7590. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

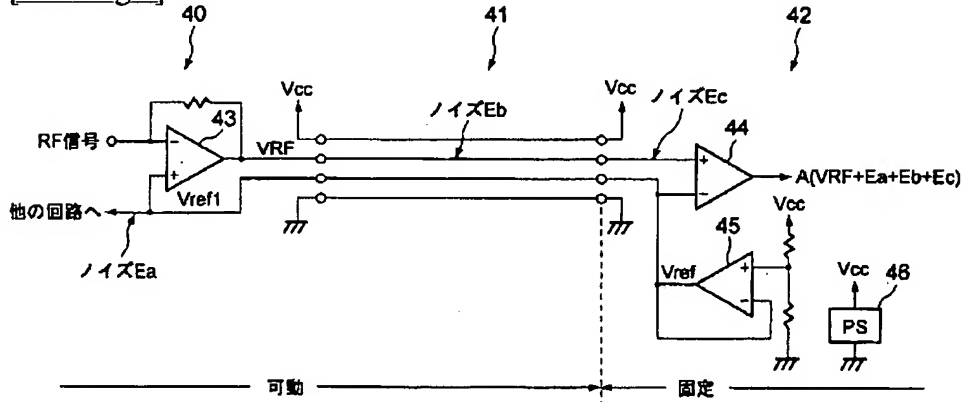
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP



WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

[Drawing_4]



3/8/2006